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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Written statement submitted by the Friends World Committee for Consultation (Quakers), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 January 2000]

GE.00-10528 (E)

1. As war continues to be waged in Africa, Asia, Latin America and Europe, it is important to recall that the principled stand of those who, as a matter of conscience, refuse to take up arms to kill their fellow human beings has been recognised by the United Nations as a legitimate exercise of the right to freedom of thought, conscience and religion. This is so even in the case of those who reach this position of conscience after becoming part of the armed forces.

2. For more than 300 years, Quakers have refused to participate in war, believing it is wrong to kill or to train people to kill. This is a conviction held by many people of different religious faiths and beliefs. It is on these grounds that Quakers claim the right to conscientious objection to military service, not only for themselves but for all who share their pacifist beliefs.

3. Two years ago, the Commission on Human Rights adopted, without a vote, resolution 1998/77 which set out clear, workable standards concerning the recognition of the right to conscientious objection to military service, the provision of alternative forms of service, the prohibitions on discrimination and repeated punishment, and the need for asylum where there is no or no adequate provision for conscientious objection.

4. Friends World Committee for Consultation (Quakers) warmly welcomes the adoption of this resolution and the standards contained in it. We also welcome the fact that this issue is taken up by some of the mechanisms of the Commission and by the Human Rights Committee. Together with War Resisters' International, FWCC is producing a Handbook for Conscientious Objectors explaining the United Nations standards and how to use the United Nations human rights procedures.

5. However, many conscientious objectors are still not recognized as such, continue to be imprisoned, are subjected to repeated call-ups and imprisonment. Others are harassed, ill-treated and discriminated against. FWCC is therefore calling on the Commission on Human Rights to urge all States to take early action to review their laws and practices in the light of resolution 1998/77. In particular, it should call on all States to:

(a) Immediately recognize the right of conscientious objection to military service as a legitimate expression of the freedom of thought, conscience and religion, if they have not yet done so;

(b) Release all conscientious objectors from imprisonment and, in particular, refrain from calling up for military service those who have already served prison terms for their refusal to perform such service on grounds of conscience;

(c) Set a timetable for the review of their laws and practices on conscientious objection to military service and the provision of alternative service;

(d) Pending the completion of such a review, to declare an immediate moratorium on actions against those claiming the right of conscientious objection to military service; and

(e) Provide asylum (with the assistance of the Office of the United Nations High Commissioner for Refugees) to conscientious objectors compelled to leave their country of origin because they fear persecution owing to their refusal to perform military service.

6. In order to provide practical assistance to States in undertaking these actions, FWCC urges the Commission to call for a compilation and analysis of best practices in relation to recognition of the right of conscientious objection to military service and the provision of alternative forms of service.